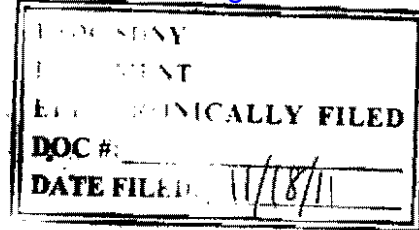


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



MELISSA TUCKER, Individually and on behalf of  
all others similarly situated,

Plaintiffs,

-against-

EAST SIDE DD, et al.,

Defendants.

**ORDER GRANTING LEAVE TO  
AMEND THE COMPLAINT AND  
DENYING DEFENDANTS'  
MOTION TO DISMISS**

11 Civ. 4907 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

I grant the plaintiffs leave to file an amended complaint by December 9, 2011.

Defendants' Motion to Dismiss, filed November 11, 2011, is thereby denied without prejudice to renewal after the amended complaint is filed.


Defendants shall answer or move by January 6, 2012. The parties shall return for a status conference on January 13, 2012 at 10:00 a.m. in Courtroom 14D.

The clerk shall mark the motion (docket #11) terminated.

SO ORDERED

Dated:

November 18, 2011  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge